

reference to and in connection with the forty-second article of the bill of rights. It is admitted that they ought to be so construed, and then what benefit can the advocates of conventional reform derive from such a construction. The forty-second article of the bill of rights declares, "That this Declaration of Rights, or the form of government to be established by this convention, or any part of either of them, *ought not to be altered, changed, or abolished by the Legislature of this State*, but in such manner as this convention shall prescribe and direct." Now it is admitted that these words are restrictive, only upon the Legislature, and not upon the people. They limit the legislative power alone, while they are wholly silent upon all and every other mode of change. But does it follow that the constitution itself, which does contain words of restriction upon the people, is to be inoperative and void? What the bill of rights omits, the constitution supplies. There is no repugnance between them, and therefore they may stand together, and the provisions of each be gratified. So far from the advocates of conventional reform being assisted by this mode of construing the one with reference to the other, it actually proves the unsoundness of their position. Take them separately and they may stand upon the forty-second article of the bill of rights, and say, here at least, are to be found no restrictions upon the people. But construe them together, and the fifty-ninth article of the constitution discloses the restrictions at once. They find inserted in the one what was omitted in the other. There is nothing in any part of the bill of rights which is repugnant to this provision of the constitution. The convention which made the constitution was not prohibited by any article of the bill of rights from imposing such a restriction upon the people. They had the undoubted right, not only to prescribe the mode in which changes to the constitution should be made, but to prohibit all other modes, and having done so, unless amendments are made restoring to the people that which they have parted with, this provision of the constitution will continue to be binding on them to the latest generations.

But it is said by those who advocate the right of the people to change their form of government at will, that the right itself is inherent and unalienable, and that the people could not, if they would, have parted with it. The undersigned are at a loss to know from whence this political axiom, to the extent contended for, is derived. It certainly finds no support either in the bill of rights or the constitution.

It is only "*when the ends of government are perverted, and the public liberty manifestly endangered, and all other means of redress are ineffectual,*" that the bill of rights recognizes the right of the people to reform the old or establish a new government. Here the right is clearly asserted to be a qualified right. And so far from maintaining the right to change or alter at will, to be a right at all times inherent in the people, it denies all right to reform the old or establish a new government, except under circumstances of oppression which would be destructive of public liberty. When these circumstances occur the right begins, but not before. It then becomes a right drawn from the instincts of our nature—a right of